

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 1, 1992  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:08 p.m. The meeting was recessed by Mayor O'Connor at 3:00 p.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 3:01 p.m. with Council Member Stevens not present. Mayor O'Connor recessed the meeting at 5:58 p.m. to meet in Closed Session in the 12th floor conference room to discuss whether to initiate appropriate adjudicatory proceedings under the Hart/Scott/Rodino Act in regard to the proposed acquisition of the General Dynamics Missile Division by Hughes Aircraft. The meeting was reconvened by Chairperson Wolfsheimer at 6:23 p.m. with Council Members Roberts, Filner and Mayor O'Connor not present. Chairperson Wolfsheimer recessed the meeting at 7:52 p.m. to reconvene the Redevelopment Agency. The meeting was reconvened by Chairperson Wolfsheimer at 7:53 p.m. with Council Members Roberts, Filner and Mayor O'Connor not present. Chairperson Wolfsheimer recessed the meeting at 7:53 p.m. to meet on Wednesday, June 3, 1992 during the Committee of the Whole Meeting in the 12th Floor Committee Room to discuss Item 152, introduction of an ordinance relating to City Treasurer Authorization to Charge Collection Fees.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present

- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (so)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-not present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Don Schock of Maranatha Chapel.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell on voter apathy.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A027-045.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:  
5/11/92  
5/12/92

FILE LOCATION: Minutes

COUNCIL ACTION: (Tape location: A017-022.)

MOTION BY McCARTY TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: ACCEPTED

Acceptance of a check for \$6,050, by Councilmember Judy McCarty, on behalf of the City of San Diego from San Diego Gas and Electric, for participation in the Lighting Retrofit Rebate Program at the San Carlos Library.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A022-027; A045-076.)

MOTION BY McCARTY TO ACCEPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: ACCEPTED PRESENTATION

Presentation to the Mayor and City Council from students of Alcott Elementary School regarding the need for more police services.  
(District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A076-114.)

ITEM-33: (R-92-1919) ADOPTED AS RESOLUTION R-280030

Commending the members of the La Jolla High School and Bell Junior High School Science Olympiad Teams for attaining first and second place honors (respectively) at the 1992 Science Olympiad National Competition at Auburn University during the week of May 18 through 22, 1992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A351-526.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: PRESENTED

A presentation from the City Manager regarding the anti-substance abuse Public Service Announcement television campaign that the City initiated in May, 1991; presenting a Special Commendation to Rob Estes and Mitzi Kapture, stars of the hit television show "Silk Stalkings," for donating their time and talent to this project.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A114-232.)

ITEM-35: PRESENTED

Presentation of "People in Preservation" Awards to City  
of San Diego Park and Recreation and Library  
Departments.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A237-326.)

ITEM-36: (R-92-1903) ADOPTED AS RESOLUTION R-280031

Congratulating and acknowledging the community service  
and leadership of Robert F. Driver, who is retiring  
after more than 60 years of business and civic  
involvement in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A326-351.)

MOTION BY BEHR TO ADOPT. Second by McCarty. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-37: CONTINUED TO JUNE 15, 1992

Recognition award to the City of San Diego by Bravo!  
News magazines.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A533-550.)

MOTION BY HARTLEY TO CONTINUE TO JUNE 15, 1992 AT THE  
REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by  
Stallings. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-92-1414) ADOPTED AS RESOLUTION R-280032

Awarding a contract to Ridge Auto-Marine Supply for furnishing automotive filters and filter elements, as may be required for a period of one year beginning June 1, 1992 through May 31, 1993, for a total estimated cost of \$48,410.70, including tax and terms, with an option to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the pervious contract period by more than 5 percent; authorizing the Purchasing Agent to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications. (BID-C3100/92)

FILE LOCATION: CONT - Purchase - Ridge Auto-Marine Supply  
CONTFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-92-1413) ADOPTED AS RESOLUTION R-280033

Awarding a contract to T.C. Distributing for the purchase of internal automotive engine parts, as may be required for a period of one year beginning June 1, 1992 through May 31, 1993, for an estimated cost of \$50,000, including tax and terms, with options to renew the contract for four additional one year periods. (BID-C3048/92)

FILE LOCATION: CONT - Purchase - T.C. Distribution  
CONTFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-92-1408) ADOPTED AS RESOLUTION R-280034

Awarding contracts to Johnston Pump/General Valve, Inc., Sloan Electric Co. and Marden Susco Inc., for four vertical turbine pumps, four pump control valves, required switchgear controls and miscellaneous pipe fittings, for an actual cost of \$170,840.35, including tax and terms; authorizing the expenditure of an amount not to exceed \$170,840.35, from Department No. 700, Fund 40012, Organization No. 385, Object Account No. 3306, and Job Order Nos. 182148, 182128, 182138 and 182118, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-R2938/92)

Aud. Cert. 9200927.

FILE LOCATION: CONT - Purchase - Johnston Pump/General Valve, Inc., Sloan Electric Co. and Marden Susco, Inc. CONFY92-3

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-92-1403) ADOPTED AS RESOLUTION R-280035

Assigning to Apco Valve and Primer Corporation from Willamette Valve Company the contractual rights for furnishing one ball valve and operator at a cost not to exceed \$189,437.50, as set forth in Resolution R-279110, dated December 9, 1991; authorizing the execution of a consent agreement to paid assignments for furnishing the ball valve and operator. (BID-M2321/91)

FILE LOCATION: CONT - Purchase - Apco Valve and Primer Corporation CONFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104:

Two actions relative to the construction of Dailard  
Neighborhood Park:  
(Navajo Community Area. District-7.)

Subitem-A: (R-92-1568) ADOPTED AS RESOLUTION R-280036

Inviting bids for the construction of Dailard  
Neighborhood Park on Work Order No. 119479; authorizing  
the execution of a contract with the lowest responsible  
bidder; authorizing the expenditure of \$342,000 from  
CIP-29-646.0, Dailard Park Development, \$194,000 from  
Navajo Community Development Impact Fees Fund No.  
79506, \$68,000 from PSD Fund No. 14000, and \$80,000  
from Capital Outlay Other Fund No. 302453, for  
providing funds for said project and related costs;  
authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-K3183/92)

Subitem-B: (R-92-1569) ADOPTED AS RESOLUTION R-280037

Certifying that the information contained in  
Environmental Negative Declaration, DEP File No.  
91-0609, dated October 11, 1991, in connection with  
Dailard Neighborhood Park, has been completed in  
compliance with the California Environmental Quality  
Act of 1970, and State guidelines, and has been  
reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Dailard Neighborhood Park  
is located at 6435 Cibola Road between Laurelridge Road and  
Cabaret Street in the Navajo Community Planning Area. The  
proposed Phase I project will provide construction of a 3 acre  
park with turfed open play areas, picnic tables, children's play  
areas, loop walkway with marked distances, seating benches,  
security lighting, shrub areas and other miscellaneous  
improvement.

Aud. Cert. 9200880.



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FILE LOCATION: W.O. 119479 CONT - L. R. Hubbard Const. Co.,  
Inc. CONFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**\* ITEM-105:**

Two actions relative to Tecolote Creek Watershed  
Stabilization:  
(Located between Clairemont Mesa and Linda Vista  
Community Areas. Districts-5 and 6.)

Subitem-A: (R-92-1571) ADOPTED AS RESOLUTION R-280038

Inviting bids for Tecolote Creek Watershed  
Stabilization on Work Order No. 119556; authorizing the  
execution of a contract with the lowest responsible  
bidder; authorizing the City Auditor and Comptroller to  
modify the FY 1992 Capital Improvements Program by  
adding CIP-29-748.0, Tecolote Creek Watershed  
Stabilization;

authorizing the City Auditor and Comptroller to  
transfer \$45,000 from Fund 38015, Tecolote Canyon  
Stream Restoration, into CIP-29-748.0, Fund 38015,  
Tecolote Creek Watershed Stabilization;

authorizing the expenditure of \$45,000 (contingent upon  
receipt of funds) from CIP-29-748.0, Fund 38015,  
Tecolote Creek Watershed Stabilization, for the purpose  
of executing this contract and related costs;  
authorizing the City Auditor and Comptroller, upon  
advice from the administering department, to transfer  
excess budgeted funds, if any, to the appropriate  
reserves.  
(BID-K3186/92M)

Subitem-B: (R-92-1572) ADOPTED AS RESOLUTION R-280039

Certifying that the information contained in Addendum  
to Mitigated Negative Declaration and Mitigation  
Monitoring and Reporting Program, DEP-86-0187, dated  
August 30, 1990, in connection with the Tecolote Creek

Watershed Stabilization, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The problem of reducing siltation in Mission Bay has long been a concern of the City. One of the major sources of siltation is the sediment which is transmitted by Tecolote Creek into the bay. This project proposes the construction of a gabion weir across a main tributary of Tecolote Creek located in Tecolote Canyon Natural Park. The gabions will be constructed by filling wire mesh cages with rocks. Typical cage dimensions are 3' x 3' x 9'. The individual cages will be wired together to form the weir structure. The purpose of the weir is to slow down the velocity of the water flowing in the creek upstream from the weir. By slowing the creek flow, the amount of sediment transmitted by the creek to Mission Bay will be reduced. The project will be funded by a grant from the State of California Department of Water Resources.

Aud. Cert. 9200868.

FILE LOCATION: W.O. 119556 CONT - Doug Kost Konstruction  
CONFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-92-1823) ADOPTED AS RESOLUTION R-280040

Vacating the northerly excess portions of West Muirlands Drive at Nautilus Street under the procedure for the summary vacation of streets; declaring that the resolution shall not become effective unless and until a public improvement permit has been issued for a pedestrian ramp at the corner of West Muirlands Drive and Nautilus Street; in the event the condition is not completed within 18 months following adoption of the resolution, then the resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the public improvements.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been requested by the abutting property owner in order to consolidate right-of-way with their ownership. This vacation, as proposed, will accommodate an existing driveway and landscaping utilized by the applicants. Due to traffic safety concerns, the alignment of West Muirlands Drive was altered in 1967, which created the unused right-of-way.

The proposed vacation totals 1,139 square feet (0.026 acres). It is located in the La Jolla Community Plan area and is zoned R1-10,000.

The vacation does not require a Coastal Development Permit, as it is exempt under San Diego Municipal Code Section 105.0204(a). This vacation would provide no additional development entitlements and would not affect the density of the area. The La Jolla Community Planning Association and the Planning Department have no objections to this vacation. The Planning Commission recommended approval by a vote of 5-0 on January 16, 1992.

The area proposed for vacation is unimproved. Sufficient right-of-way will be retained to provide for adequate sight distance and a potential future right-turn lane. Thus, the land to be vacated may be considered excess. The area-of-vacation contains public utilities and franchise facilities which are to remain in place upon vacation of the right-of-way. A general utility easement will be retained over the entire area-of-vacation to accommodate maintenance requirements for the existing water and sewer mains. The installation of a pedestrian ramp at the corner of West Muirlands Drive will also be required as a condition of the vacation.

FINDINGS: Staff review has indicated that the vacation is consistent with the General Plan, the La Jolla Community Plan, and Council Policy 600-15, and may be summarily vacated. The excess right-of-way is not required for present or prospective public use and the facilities for which it was originally acquired will not be detrimentally affected.

The public will benefit from the vacation by relieving the City of liability and maintenance costs for this area and enhancing the use of the land.

FILE LOCATION: DEED F-5834; STRT J-2778 DEEDFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-107: (R-92-1736) CONTINUED TO JUNE 8, 1992

Approving the acceptance by the City Manager of a grant deed of Triple J Development, L.P., granting to the City an easement for public alley purposes in a portion of Lot 27 in Block 2 of Florence Heights Addition, Map-892; dedicating said land as and for a public alley.

(Uptown Medical Complex Community Area. District-2.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A572-590.)

MOTION BY HARTLEY TO CONTINUE TO JUNE 8, 1992 TO LOCATE THE NECESSARY PAPERWORK. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-92-1762) ADOPTED AS RESOLUTION R-280041

Approving the acceptance by the City Manager of a deed of Matthew C. Monise, Jr., Antoinette J. Monise, Richard D. Rose and Martha A. Rose, granting to the City an irrevocable right to dedicate to public street purposes portions of Lots 29, 30, 31, 32, 33 and 34 in Block 20 of Reed and Hubbell's Addition, Map-327; setting aside the land for a future public street.  
(Barrio Logan Community Area. District-8.)

FILE LOCATION: DEED F-5836 DEEDFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-92-1838) ADOPTED AS RESOLUTION R-280042

Establishing the following tax appropriations limit for the City of San Diego, pursuant to the authority of California Government Code, Division 9, Title 1 (Sections 7900 et seq):

Fiscal Year 1991	-	\$387,569,525
Fiscal Year 1992	-	\$617,411,893
Fiscal Year 1993	-	\$627,846,154

Declaring that the documentation upon which the tax appropriations limit has been established, has been available for public information and review at the office of the City Clerk since May 15, 1992, pursuant to the requirements of Section 7910 of the California Government Code.

(See City Manager Report CMR-92-176.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110: (R-92-1837) ADOPTED AS RESOLUTION R-280043

Changing the name of Doverfield Lane, north of Galvin Avenue, to Ice Skate Place; declaring that the signage shall indicate both the old street name and the new street name for a period of one year following the adoption date of the Resolution, for the convenience of the general public.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The adjacent property owner has requested the proposed name change of Doverfield Lane to Ice Skate Place. All affected property owners are in agreement to the proposed name change. Doverfield Lane was dedicated and recently named in connection with the Westview project. The only property which the cul-de-sac serves is the San Diego Ice Arena, and they feel Ice Skate Place would be a more suitable name. All costs associated with the re-signage have been paid for, in advance, by the applicant. The Building

Inspection Department, Engineering and Development Department, Fire Department, and Police Department have reviewed the proposed street name change and have indicated the name change is acceptable. The Planning Department and the Mira Mesa community Planning Group have no objections to the proposed name change.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-111: (R-92-1875) REFERRED TO COMMITTEE OF THE WHOLE,  
JUNE 3, 1992

Accepting the City Manager's recommendation that further consideration of funding a Park Ranger/Volunteer Citizen Patrol Program take place as part of the Council's budget deliberations for FY 1993. (City Heights, Lake Murray, North Park and Colina del Sol Community Areas. Districts-3 and 7.)

CITY MANAGER SUPPORTING INFORMATION: On January 22, 1992, the PF&R Committee considered several options for implementing a Park Ranger/Volunteer Citizen Patrol at selected park sites. The goal of this effort was to provide a deterrent to vandalism, theft and illegal drug activity during hours when regular staff is not present. The PF&R Committee recommended that the City Manager identify funding to implement a Park Watch Program at North Park Community Park, City Heights Community Park, and Lake Murray Community Park, and provide a live-on site caretaker at Colina del Sol Community Park. The Park Watch Program would consist of the selection of one resident who lives in the immediate vicinity of each selected park and who has a clear view of the park and its activities. A stipend of \$200 would be paid to the Park Watch Coordinator for observing and reporting illegal activity, organization of park watch volunteers, maintaining activity logs, and providing minor maintenance on weekends. Because of size and lack of residents to monitor Colina del Sol Community Park, it was recommended that a live-on site caretaker and trailer be implemented at this site.

The Manager recommends that this issue be referred to the Committee of the Whole for budget review.

FILE LOCATION:

COUNCIL ACTION: (Tape location: H037-047.)

MOTION BY STEVENS TO REFER TO THE COMMITTEE OF THE WHOLE MEETING ON JUNE 3, 1992 FOR DISCUSSION AS PART OF THE FY 93 BUDGET HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

\* ITEM-112: (R-92-1679) ADOPTED AS RESOLUTION R-280044

Authorizing the City Manager to enter into negotiations with Park Terrace, Incorporated for an option to acquire a future library site within the Park Terrace Office Center; declaring that any funds derived from the future site of the existing Rancho Bernardo Branch Library site are to be applied to this project, subject to the requirements for the use of public outlay funds. (See City Manager Report CMR-92-147. Rancho Bernardo Community Area. District-5.)

COMMITTEE ACTION: Reviewed by PFR on 5/13/92. Recommendation to approve the City Manager's recommendation. The committee requested the Manager to provide information on: 1) How long it will take to acquire purchase option, 2) Where the library will be built, 3) How much it will cost, and 4) The funding sources. Districts 3, 5, 6 and 7 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-92-1895) CONTINUED TO JUNE 8, 1992

Approving the City Manager's Fiscal Year 1992 (October 1, 1991 through December 31, 1991) Workforce and MBE/WBE Participation Reports on the status of the City's Independent Corporations. (See City Manager Report CMR-92-146.)

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COMMITTEE ACTION: Reviewed by the Committee of the Whole on 5/20/92. Not acted on due to lack of a quorum.

FILE LOCATION:

COUNCIL ACTION: (Tape location: H050-055.)

MOTION BY STEVENS TO CONTINUE ITEMS 150 AND 151 TO JUNE 8, 1992 DUE TO LACK OF TIME. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-151: (R-92-1896) CONTINUED TO JUNE 8, 1992

Approving the City Manager's Second Quarter Equal Opportunity Report for Fiscal Year 1992 on the status of the City's Equal Opportunity Program.  
(See City Manager Report CMR-92-145.)

COMMITTEE ACTION: Reviewed by COMM on May 20, 1992. No action taken due to lack of quorum.

FILE LOCATION:

COUNCIL ACTION: (Tape location: H050-055.)

MOTION BY STEVENS TO CONTINUE ITEMS 150 AND 151 TO JUNE 8, 1992 DUE TO LACK OF TIME. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-152: (O-92-95) TRAILED TO JUNE 3, 1992, 2:00 P.M.

Introduction of an Ordinance amending Chapter II, Article 2, Division 17, of the San Diego Municipal Code, by adding Section 22.1707, relating to City Treasurer Authorization to Charge Collection Fees.  
(See City Manager Report CMR-92-131.)

COMMITTEE ACTION: Reviewed by COMM on 5/06/92. Not acted on due to lack of a quorum.

FILE LOCATION:



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COUNCIL ACTION: (Tape location: H056-156.)

MOTION BY COMMON CONSENT TO TRAIL TO JUNE 3, 1992 AT 2:00  
P.M. DUE TO A LACK OF FIVE AFFIRMATIVE VOTES.

ITEM-153: (R-92-1440) CONTINUED TO JUNE 15, 1992

(Continued from the meeting of May 4, 1992, Item 150,  
at the City Manager's request, for further review.)

Adopting the proposed Waste Management Fiscal Year 1993  
Revised Landfill Fee Schedule and Regulations.  
(See City Manager Report CMR-92-118, and Legislative  
Specialist Analysis PFR-92-4.)

COMMITTEE ACTION: Reviewed by PFR on 4/8/92. Recommendation to  
send to Council without a recommendation. Districts 5, 6, and 7  
voted yea. District 3 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A550-570.)

MOTION BY McCARTY TO CONTINUE TO JUNE 15, 1992 AT THE  
REQUEST OF THE COUNTY TO CHANGE THE FEE SCHEDULE. Second by  
Hartley. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-154: CONTINUED TO JUNE 22, 1992

(Continued from the meeting of April 27, 1992, Item  
152, at Paul Peterson's request, representing the  
California Institute of Technology and the Palomar  
Observatory, for the City Manager to complete crime  
statistics.)

In the matter of Street Light Conversion (Low Pressure  
Sodium/High Pressure Sodium).

(See City Manager Reports CMR-92-130, CMR-92-90 and  
CMR-91-493.)

COMMITTEE ACTION: Reviewed by PSS on 3/18/92. Recommendation  
to: 1) Refer the issue to City Council to consider use of HPS  
lights and ask the City Manager to recommend solutions which

address: a) Cost, b) methods of installing white lights, c) high crime areas and d) prioritization of areas of the City; 2) Give the observatory an opportunity to present to Council at the same time a plan that would increase security, safety, and lighting, but would not affect astronomical research, and could be implemented at a reasonable cost. Districts 1, 2, 3, 4 and 8 voted yea.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B144-F154.)

Motion by Hartley to propose a compromise with the scientific community that: 1) all areas south of I-8 are eligible for high pressure sodium lighting with conversion implementation by high crime areas; 2) the Downtown Redevelopment area is eligible for conversion to broad spectrum lighting as funds are available; and 3) create a City task force to create long-term solutions to lighting issues. Second by Roberts. No vote.

MOTION BY ROBERTS TO CLOSE THE HEARING AND TO CONTINUE TO JUNE 22, 1992 WITH DIRECTION TO THE CITY MANAGER TO PROVIDE THE FOLLOWING:

1. WHAT PERCENTAGE OF LIGHT IS GENERATED FROM STREET LIGHTS COMPARED TO PRIVATE LIGHTING?
2. EVALUATE STRATEGIES ON HOW TO CONVERT THE HIGH PRESSURE SODIUM (HPS) LIGHTING TO LOW PRESSURE SODIUM (LPS) LIGHTING IN HIGH CRIME AREAS, I.E, CERTAIN GEOGRAPHICAL AREAS, REPLACING HPS LIGHTS WITH LPS AS THEY BURN OUT. PROVIDE A LOW-COST WAY TO PROCEED.
3. INCLUDE INFORMATION ON HOW TO REASONABLY ADDRESS CONCERNS WITH COSTS IN CERTAIN PROBLEM AREAS SUCH AS HISTORIC AREAS. REVIEW IN MORE DETAIL THE COMPROMISE PROPOSAL WITH MR. HARTLEY AND THE SCIENTIFIC COMMUNITY, PERHAPS TO REFINES THE PROPOSAL, BASED UPON COUNCIL HAVING AN OPPORTUNITY FOR FURTHER REVIEW.
4. INCORPORATE THE FINANCIAL PLAN, INCLUDING THE IMPLICATIONS, OF PHASING THESE IMPROVEMENTS OVER A PERIOD OF TIME ON THE HARTLEY PROPOSAL PRESENTED TODAY.
5. DISCUSS THE SPECIFICS ON HOW TO MAKE RECOMMENDATIONS, HOW FUNDS WILL BE ALLOCATED AND RETURN WITH DIFFERENT STRATEGIES AND COSTS.
6. IN ANY HIGH CRIME AREA, WHETHER NORTH OR SOUTH OF I-8, THERE NEEDS TO BE A CONSIDERATION OF THE HIGH PRESSURE LIGHTING. THERE MAY BE OTHER HIGH CRIME AREAS TO INCLUDE ONCE THE FUNDING BECOMES AVAILABLE TO IMPLEMENT THIS. DISCUSS WHY TWICE AS MANY LPS LIGHTS ARE BEING CONSIDERED WHEN HALF AS MANY HPS LIGHTS WILL DO THE JOB AND BE LESS

COSTLY. ADDRESS THE ISSUE OF VISIBILITY WITH THE LPS LIGHTS.

7. GET TOGETHER WITH SDG&E TO FIND OUT HOW MANY OF THE STREET LIGHTS ARE PAID FOR BY PRIVATE INDIVIDUALS TO POTENTIALLY REDUCE REPLACEMENT COSTS TO THE CITY.

8. CLARIFY THE COST TO THE CITY TO CONVERT THE GASLAMP AND DOWNTOWN AREAS. INCLUDE A RANGE ON THE VARIOUS LIGHTING ASSESSMENT DISTRICTS THROUGHOUT THE CITY AND HOW MUCH THE CITY WOULD BE REQUIRED TO CONTRIBUTE.

9. WHAT AMOUNT OF MONEY WOULD IT TAKE TO FUND A SQUARE CITY BLOCK WITH LPS AND TO ADD THE KIND OF LIGHTING NECESSARY TO BECOME ADEQUATE? WHAT SPACING IS RECOMMENDED FOR EACH LIGHT, I.E, EVERY 150 FEET, EVERY 200 FEET, EVERY 300 FEET, ETC.

10. ADDRESS THE ISSUE OF NO LIGHTING ON STREETS IN NEIGHBORHOODS OFF OF THE MAIN THOROUGHFARES. IS THE CITY GOING TO START LIGHTING THESE AREAS THAT ARE NOT LIT. ADDRESS THIS SAFETY ISSUE AND INCLUDE ALTERNATIVES. ADD TO THE REPORT WHAT STAFF FEELS IT WOULD TAKE FINANCIALLY TO ADD THESE LIGHTS IN THE HIGH CRIME AREAS.

11. DETERMINE WHAT THE EXISTING LIMITS ARE REGARDING THE PROPOSED COMPROMISE.

12. SEEK FUNDING ALTERNATIVES, PARTICULARLY FOR THE ADDITIONAL LIGHTS, TO FUND THIS PROJECT THIS YEAR SO IMPLEMENTATION CAN BEGIN.

13. SEE WHAT THE SCIENTIFIC COMMUNITY, ON A VOLUNTEER BASIS, CAN COME UP WITH TO HELP EXPLORE ALTERNATIVES SUCH AS SHIELDING THE LIGHTS AS WELL AS THE AREAS THAT NEED THIS LIGHTING AND WHAT CAN BE DONE.

14. FURNISH COUNCIL WITH A COPY OF THE PRIVATE LIGHTING ORDINANCE.

Second by Behr. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-nay, Stevens-nay,  
Behr-yea, Stallings-yea, McCarty-nay, Filner-yea, Mayor  
O'Connor-yea.

ITEM-200: (R-92-1652) ADOPTED AS RESOLUTION R-280045

(Continued from the meeting of April 27, 1992, Item 111, at Councilmember Roberts' request, for further review.)

Declaring May 18, 1992 as "Stu Segall Day" in the City of San Diego; recognizing the accomplishments of Stu Segall, producer of "Silk Stalkings," and commending him for his commitment to community service through contributing expertise and equipment to the San Diego Police Department's Anti-Drug Campaign.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, June 1, 1992**

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A114-232.)

MOTION BY FILNER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-92-1836) ADOPTED AS RESOLUTION R-280046

Nominating Monsignor Francis Pattison and Tom Gayton for reappointment by the Metropolitan Transit Development Board (MTDB), to serve as City members of the San Diego Transit Board, for terms to expire June 30, 1995.

(See memorandum from Mayor O'Connor dated 5/14/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B008-015.)

MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-92-1833) ADOPTED AS RESOLUTION R-280047

Council confirmation of the following appointment and reappointments by the Mayor, to serve as members of the Park and Recreation Board, for terms ending March 1, 1994:

(See memorandum from Mayor O'Connor dated 5/14/92 with resume attached.)

Appointment

Thomas H. McPhatter

(Replacing Myra Harada, whose term has expired.)

Reappointments

Bonnie Reading

Cecilia Lorimer

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B015-022.)

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-92-1832) ADOPTED AS RESOLUTION R-280048

Council confirmation of the appointment by the Mayor of Maria Velasquez to serve as a member of the San Diego County Water Authority Board, for a term ending March 7, 1998.

(See memorandum from Mayor O'Connor dated 5/14/92 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B023-103.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

ITEM-204: (R-92-2101) ADOPTED RESOLUTION R-280049;  
GRANTED APPEAL, GRANTED VARIANCE

(Continued from the meeting of May 5, 1992, Item 330, at Councilmember Behr's request on behalf of the appellant, Howard Hough.)

An appeal of Howard Hough for Win and Great Times, Ltd., Owners, and M.C. Miramar Inc., Lessee, from the decision of the Board of Zoning Appeals in denying Sign Variance C-20882 for the erection of a 10'-0" high, 50 square foot ground sign on a lot issued a permit for a 50'-0" high, 300 square foot freeway oriented ground sign, subject to conditions, where an additional ground sign is not permitted. The subject property is located at 9335 Kearny Mesa Road and is further described as Lot 2, Goodhall Subdivision, Map-6412 in the CA Zone. (Case C-20882. District-5.)

Adoption of a Resolution granting or denying the appeal and granting or denying the variance, with appropriate findings to support Council action.

FILE LOCATION:                   ZONE - Zoning Appeals Case C-20882

COUNCIL ACTION:               (Tape location: F463-G008.)

Hearing began at 6:32 p.m. and halted at 6:39 p.m.

MOTION BY BEHR TO GRANT THE APPEAL AND GRANT THE VARIANCE BASED ON THE FINDINGS THAT THIS SITE IS ON A SIDE STREET OFF OF MIRAMAR ROAD THAT IS ONLY RELATED TO BUSINESS. THIS STREET IS TOTALLY COMMERCIAL WITH TWO SERVICE STATIONS, TWO MOTELS AND ONE HOTEL. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-205: (R-92-1718 Cor.Copy) ADOPTED AS RESOLUTION R-280050

Adoption of a Resolution levying an annual assessment within previously established Business Improvement Districts for July 1, 1992 through June 30, 1993. (Mid-City, Hillcrest, Mission Hills, Downtown, Ocean Beach Community Areas. Districts-2 and 3.)

CITY MANAGER SUPPORTING INFORMATION: Business Improvement Districts (BIDs) are authorized by State law to assess benefitted businesses for the cost of certain improvement activities. These activities are generally promotional in nature. Once a BID is established, the city collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement.

There are currently 11 active districts in the City of San Diego: Adams Avenue, City Heights, Downtown, El Cajon Blvd.-Gateway, El Cajon Blvd. Central, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park and Ocean Beach. State law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The action being taken today is the public hearing to levy the proposed assessment for each BID for FY 1993.

FILE LOCATION:               STRT - L-5, L-8, L-1, L-6, L-9, L-3, L-4,  
L-2, L-12, L-7, L-11

COUNCIL ACTION:               (Tape location: H010-015.)

Hearing began at 7:20 p.m. and halted at 7:21 p.m.

MOTION BY STALLINGS TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-206: (O-92-150) CONTINUED TO JUNE 8, 1992

Introduction of an Ordinance amending Ordinance O-17458, adopted on April 16, 1990, collecting assessments for the La Jolla Business Improvement District, by creating a third zone for businesses located on the perimeter of the District, and reclassifying real estate offices from Category "B" to Category "C".

(See City Manager Report CMR-92-171. La Jolla Community Area. District-1.)

FILE LOCATION: STRT L-2

COUNCIL ACTION: (Tape location: G008-H010.)

Hearing began at 6:39 p.m. and halted at 7:20 p.m.

Testimony in favor by Joe Graham, William Logan and Bob Ottilie.

MOTION BY BEHR TO CONTINUE TO JUNE 8, 1992 DUE TO LACK OF TIME AND FOR FURTHER REVIEW. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S400: (R-92-1565) ADOPTED AS RESOLUTION R-280051

(Continued from the meetings of May 12, 1992, Item S502, and May 26, 1992, Item 200; last continued at the City Manager's request, due to lack of time.)  
Declaring CCA Construction Inc., in default and to be a non-responsive contractor in the construction of Fire Station 24; authorizing the Engineering and Development Department, Field Division, to act as the general contractor in order to complete the project; debarring CCA Construction Inc. from submitting bids to the City of San Diego for a period of three years.

(BID-K1817/91)  
(North City West Community Area. District-1.)

FILE LOCATION: CONT - CCA Construction, Inc.

COUNCIL ACTION: (Tape location: H249-447.)

Hearing began at 7:40 p.m. and halted at 7:52 p.m.

Testimony in opposition by Jim Kitt.

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

\* ITEM-S401: (R-92-1419) ADOPTED AS RESOLUTION R-280052

Awarding a contract to the State of California for the purchase of 20 Compressed Natural Gas Trucks (line item 6a on State of California contract #1-92-23-20, 1992 GMC Sierra 3/4 ton pickup), for a total cost of \$364,147.63, including tax and processing fee; authorizing the expenditure of an amount not to exceed \$364,147.63 from Fund No. 50031, Department No. 8201, Object Account No. 6013, and Job Order No. 88092, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-C3199/92)

Aud. Cert. 9200949.

FILE LOCATION: CONT/PURCHASE - State of California  
CONFY92-1

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.



\* ITEM-S402: (R-92-1902) ADOPTED AS RESOLUTION R-280053

A Resolution approved by the City Council in Closed Session on Tuesday, May 26, 1992 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-yea; Stallings-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$280,000 in the settlement of each and every claim against the City, its agents and employees, resulting from personal injuries to Fred Miller and Chidori Miller (Superior Court Case No. 643439, Fred and Chidori Miller v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$280,000 made payable to Fred and Chidori Miller and the Law Firm of Trentacosta, Bourdeau and Matuk, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claims of Fred Miller and Chidori Miller against the City of San Diego, its agents and employees, resulting from the incident which occurred on October 11, 1990.  
Aud. Cert. 9200942.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-92-1570) ADOPTED AS RESOLUTION R-280054

(Continued from the meeting of May 26, 1992, Item 106, at Councilmember Hartley's request, due to lack of time and to allow the public to give testimony.)

Inviting bids for the Construction of North Park Community Park Improvements on Work Order No. 119163; authorizing the execution of a contract with the lowest responsible bidder; authorizing the transfer of \$88,800 from Park North-East Park Development Fund No. 39095 to CIP-29-662.0, North Park Community Park - Requirements;

authorizing the expenditure of \$889,042 from CIP-29-662.0, North Park Community Park - Requirements, Park North-East Park Development Fund No. 39095, for the purpose of executing this contract and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K3184/92)  
(Greater North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: North Park Community Park is located at 4044 Idaho Street in the Greater North Park Community Planning Area. The North Park Community Park - Requirements project will provide for improvements at the North Park Adult Center and the community park.

The improvements include new tennis court lighting, renovation and upgrade to enhance disabled access of the adult center restrooms, repair to the adult center foundation, and reconstruction of the tennis courts, concrete walkways and one shuffleboard court. The adult center foundation has experienced settlement. In the last year the settlement has accelerated. In order to abate this problem and avoid costly repairs in the future, the project's scope has been increased to include the repair of the foundation. This change, coupled with revisions to the construction drawings, has resulted in an \$88,800 increase in the original project cost estimate of \$945,000.  
Aud. Cert. 9200686.

FILE LOCATION: W.O. 119163 CONT-L.R. Hubbard Construction Co., Inc. CONFY92-1

COUNCIL ACTION: (Tape location: B103-118.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (O-92-147) INTRODUCED AND ADOPTED AS ORDINANCE O-17782 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17667-1, as amended and

adopted therein; directing the Auditor and Comptroller make the following year-end budget adjustments:

- 1) Carry forward any unexpended balance from City Clerk - Elections in an amount to be determined by Financial Management, at the end of the fiscal year;
- 2) Appropriate \$4,115,265 from the Trolley Extension Reserve Fund 10226 for transfer to the Transient Occupancy Tax Fund 10223, increase appropriations for Transient Occupancy Tax Fund 10223 and Balboa Park/Mission Bay Improvements Program 91523 by \$4,115,265;
- 3) Amend Transient Occupancy Tax Unappropriated Reserve Fund 10224 by decreasing appropriations to Balboa Park/Mission Bay Improvement Program 91690 \$4,115,265 and Reallocating Sales Tax Revenue in an equal amount to General Fund 100;
- 4) Increase appropriations to the Transient Occupancy Tax Fund 10223 by \$170,000 and amend the authorization to the Convention and Performing Arts Center Program 91503 by \$170,000;
- 5) Increase appropriations to the New Convention Facility Fund 10225 by \$129,498 and transfer an equal amount to General Fund 100;
- 6) Increase appropriations to the Metropolitan Sewer Utility Fund 41506 by \$10,000,000 for allocation of Grant and Loan Interest Revenues to Metropolitan Point Loma Plant - Maintenance Program 70236.

(See City Manager Report CMR-92-166.)

Aud. Cert. 9200939.

NOTE: The first public hearing was held on May 26, 1992, Item 205B.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B103-120.)

MOTION BY ROBERTS TO DISPENSE WITH THE READING, INTRODUCE AND ADOPT THE ORDINANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-92-1774) CONTINUED TO JUNE 8, 1992

(Continued from the meeting of May 26, 1992, Item 207, at the City Manager's request, due to lack of time.)

Approving the Articles of Incorporation and Bylaws of the proposed City Heights Redevelopment Corporation.

(See City Manager Report CMR-92-170. Mid-City Community Area. Districts-3, 4 and 7.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: H016-035.)

MOTION BY HARTLEY TO CONTINUE ITEMS S405 AND S406 TO JUNE 8, 1992 DUE TO LACK OF TIME AND FOR FURTHER REVIEW. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S406: (R-92-1884) CONTINUED TO JUNE 8, 1992

(Continued from the meeting of May 26, 1992, Item S411, at the City Manager's request, due to lack of time.)

Authorizing the City Manager to sign an operating agreement with the City Heights Development Corporation.

(See City Manager Report CMR-92-180. Mid-City Community Area. Districts-3, 4, and 7.)

NOTE: See Item S405 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: H016-035.)

MOTION BY HARTLEY TO CONTINUE ITEMS S405 AND S405 TO JUNE 8, 1992 DUE TO LACK OF TIME AND FOR FURTHER REVIEW. Second by Wolfsheimer. Passed by the following vote:  
Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S407: (R-92-1614 Rev.1) ADOPTED AS RESOLUTION R-280055

(Continued from the meetings of May 11, 1992, Item 116, and May 26, 1992, Item 215; last continued at Councilmember Stevens' request, to determine the equal opportunity status of the contractor.)

Authorizing the execution of a fifth amendment to the agreement of June 27, 1988 with Engineering Science, Inc., for professional services during construction and start up of the Point Loma Ocean Compliance Project, Ocean Outfall Extension; accepting the low bid of Point Loma Constructors, in the amount of \$54,808,801 and authorizing the City Manager to award a contract for the construction of CIP-40-911.5, Point Loma Ocean Compliance Project, Ocean Outfall Extension; authorizing the expenditure of an amount not to exceed \$61,560,452 from the Clean Water Program Fund 41509, CIP-40-911.5, Point Loma Ocean Compliance Project, Ocean Outfall Extension, for the purpose of awarding the construction contract, executing the amended agreement for engineering services during construction and start up, and related costs in the following manner:

\$910,771 for professional engineering services during construction and start up of the Point Loma Ocean Compliance Project, Ocean Outfall Extension;

\$22,016,001 from the FY 1992 appropriations for construction services, Point Loma Ocean Compliance Project, Ocean Outfall Extension;

\$38,633,680 from the FY 1993 appropriations, contingent on approval of the FY 1993 CIP budget, for construction services, Point Loma Ocean Compliance Project, Ocean Outfall Extension.

Authorizing the City Manager to finance or refinance this project with tax-exempt securities, if circumstances so warrant.

(Peninsula Community Area. District-2.)

Aud. Certs. 9200839 and 9200840.

WU-CWP-92-128.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: F154-453.)

MOTION BY BEHR TO APPROVE THE EXTENSION OF THE OUTFALL.  
Second by Roberts. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

Motion by Behr to direct the City Attorney to file an appeal with regard to the EPA's letter on eligibility of some of the Clean Water projects under the \$40 million appropriated by Congress in 1992 and schedule for the first available Council meeting. This \$40 million was to be spent only for projects that would bring the system into full compliance with the secondary provisions of the Clean Water Act. With respect to the outfall, because Council is moving in a direction to go to modified secondary at Pt. Loma, these projects, as related to the Pt. Loma treatment plant and outfall, may not be eligible for the \$40 million. Direct the City Manager to determine what construction monies and reclamation plants are eligible to be funded in the 1993 budget under the \$40 million appropriated by Congress for the Clean Water Program. Second by Wolfsheimer. Passed by the following vote: Yeas-1,3,4,5,6,7. Nays-None. Not Present-2,8,M.

Motion by Stevens to refer the issue of equal opportunity contracts to the PS&S meeting of June 17, 1992. Passed by the following vote: Yeas-1,3,4,5,6,7. Nays-None. Not Present-2,8,M.

ITEM-S408: (R-92-1757) REFERRED TO THE CITY MANAGER

(Continued from the meeting of May 26, 1992, Item 125, at the City Manager's request, due to lack of time.)

Authorizing the execution of an agreement with Butler Roach Group, Inc., to prepare an Environmental Impact Report (EIR) for Sorrento Valley Road Improvements; authorizing the City Auditor and Comptroller to

transfer an amount not to exceed \$150,000 from TransNet Interest to CIP-52-330.0; authorizing the expenditure of an amount not to exceed \$150,000 from TransNet Interest, CIP-52-330.0, for the purpose of providing funds for the above project.  
(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The project proposes to realign Sorrento Valley Road, a two-lane road, for a distance of 6,000 feet south from the intersection with Carmel Valley Road. Included in the project is a two-lane bridge crossing Soledad Creek, and a series of crib walls where the road realignment would abut steep slopes on the east side and wetlands on the west side. The City's environmental analysis section of the Planning Department has conducted an initial study of the Sorrento Valley Road Project. Based upon the results of the initial study, it has been determined that an EIR is required. It is proposed to utilize the services of a consultant to prepare an EIR for this project, which is beyond the current capabilities of City staffing. The firm, Butler Roach Group, Inc., would be responsible for the preparation of the EIR. Butler Roach Group, Inc., is a WBE primary consultant and, along with its subconsultants, makes up 72.6 percent WBE participation.

Aud. Cert. 9200882.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H156-248.)

MOTION BY HARTLEY TO REFER TO THE CITY MANAGER FOR ENGINEERING AND DEVELOPMENT DEPARTMENT TO DETERMINE WHETHER OR NOT THEY CAN USE EXISTING DATA ON ADTS AND TO STUDY THE EFFECTS OF CLOSING THE ROAD TO DECIDE WHETHER OR NOT IT IS REALLY NECESSARY TO STRAIGHTEN THIS ROAD AT THIS TIME.  
Second by Behr. Passed by the following vote:  
Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

\* ITEM-S409:

Two actions relative to the 1992 Labor Leaders of the Year:

Subitem-A: (R-92-1916) ADOPTED AS RESOLUTION R-280056

Recognizing and commending Solomon A. Johnson, 1992

Retired Labor Leader of the Year, for his outstanding contributions to our community.

Subitem-B: (R-92-1915) ADOPTED AS RESOLUTION R-280057

Recognizing and commending Richard Silva, 1992 Labor Leader of the Year, for his outstanding contributions to our community.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A574-595.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Behr.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was recessed by Chairperson Wolfsheimer at 7:53 p.m. to meet on Wednesday, June 3, 1992 during the Committee of the Whole Meeting in the 12th Floor Committee Room to discuss Item 152, introduction of an ordinance relating to City Treasurer Authorization to Charge Collection Fees.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H457).